

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

2 Shon Morgan (Bar No. 187736)
3 shonmorgan@quinnemanuel.com
4 865 South Figueroa Street, 10th Floor
5 Los Angeles, California 90017-2543
6 Telephone: (213) 443-3000
7 Facsimile: (213) 443-3100

8 Kari Wohlschlegel (Bar No. 294807)
9 kariwohlschlegel@quinnemanuel.com
10 Tina Lo (Bar No. 311184)
11 tinalo@quinnemanuel.com
12 50 California Street, 22nd Floor
13 San Francisco, CA 94111
14 Telephone: (415) 875-6600
15 Facsimile: (415) 875-6700

16 *Attorneys for Defendants*

17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

19 *In re: Hyundai and Kia Engine*
20 *Litigation*

CASE NO. 8:17-cv-00838

Member Cases:
8:17-cv-01365-JLS-JDE
8:17-cv-02208-JLS-JDE
2:18-cv-05255-JLS-JDE
8:18-cv-00622-JLS-JDE

Related Case:
8:18-cv-02223-JLS-JDE

**JOINT SUBMISSION OF REVISED
NOTICES AND REQUEST FOR
EXTENDED DEADLINE TO ISSUE
NOTICES**

The Hon. Josephine L. Staton

Trial Date: None Set

1 Pursuant to the Court's May 7, 2020 Order, the parties have met and
2 conferred and now submit revised long form notices for the Hyundai and Kia
3 defendants. The revised notices contain the changes requested by the Court (*see*
4 ECF No. 132 at 28-30) as well as other clarifying edits to maintain consistency with
5 the Settlement Agreement.¹ Redlined notices for the Hyundai and Kia defendants
6 are attached as Exhibits B and C respectively.

7 The parties also note that the proposed notices anticipate notifying class
8 members of the claims submission deadline. However, because the deadline to
9 submit claims is 90 days following the Final Approval Order (*see id.* at 8), the
10 parties will not know the final date for claim submissions when the notices are
11 issued. Therefore, the parties seek guidance from the Court as to what information
12 to include in the notices. One option would be to refer claimants to the settlement
13 webpages for updated information once a Final Approval Order issues; another
14 option would be use the Final Approval Hearing date or a fixed date shortly
15 thereafter as the date from which the 90 day claims period will run.

16 In addition, the Court's May 7, 2020 Order asked defendants to issue
17 individual notices via first-class mail and/or via email to Class Members within 30
18 days of the Court's approval of the revised notices (*see id.* at 30), as opposed to 90
19 days following the preliminary approval order as originally contemplated in the
20 Settlement Agreement (*see* ECF No.128-1 at 7). Defendants have since consulted
21 the third-party vendors that collect and prepare the information necessary for the
22 notice packages for each class member and anticipate they will need the full 90 days
23 contemplated. In particular, it can take between 10 business days and six weeks to
24 collect all the class members' mailing addresses due to restrictions in certain states
25

26 ¹ Specifically, the revised notices include edits to clarify that (i) the warranty
27 extension relates to bearing wear or damage, (ii) reimbursements for Qualifying
28 Repairs completed prior to 90 days following the Final Approval Order are covered,
and (iii) eligible 2019 model year vehicles are included in the rebate program.

(Declaration of Cameron R. Azari, Esq. (“Azari Decl.”)² ¶ 6; Declaration of Daniel Lee (“Lee Decl.”) at ¶ 2). It then takes another six weeks to combine and reconcile that information with defendants’ internal records as well as distribute the notices (Azari Decl. ¶ 7). In addition, the third-party vendors that assist with printing the notices and claim forms estimate they will need nearly 90 days to prepare all the materials due to the large number of class members anticipated and in light of the current restrictions in place due to COVID-19. (Lee Decl. at ¶ 3.). Accordingly, defendants respectfully request that the Court allow them to issue individual notices within 90 days of the Court’s approval of the revised notices. Plaintiffs do not oppose this request but are otherwise mindful of their duty to the class and otherwise want to maintain an expedited schedule and the current final approval hearing date.

NOW THEREFORE, the parties hereby:

- Submit a revised long-form notice for the Hyundai defendants, attached as **Exhibit B**, and a revised long-form notice for the Kia defendants is, attached as **Exhibit C**.
- Seek guidance as to the appropriate date to include in the long-form notices for when the claims submission period ends.
- Respectfully request that the Court allow defendants to issue individual notices within 90 days of the Court’s approval of the revised notices.

² The Azari Decl. can found at ECF No. 134-1.

1 DATED: May 21, 2020

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

4 By /s/ Shon Morgan

5 Shon Morgan

6 *Attorneys for Kia Motors America, Inc.,*
7 *Kia Motors Corporation, Hyundai Motor*
8 *America, Inc., and Hyundai Motor*
9 *Company, Ltd.*

1 DATED: May 21, 2020

SAUDER SCHELKOPF LLC

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3
4 By /s/ Matthew D. Schelkopf

5 Joseph G. Sauder
6 Matthew D. Schelkopf
7 Joseph B. Kenney
8 **SAUDER SCHELKOPF**
9 555 Lancaster Avenue
10 Berwyn, PA 19312
11 Telephone: (610) 200-0581
12 jgs@sstrialawyers.com
13 mds@sstrialawyers.com
14 jbk@sstrialawyers.com

15 Adam Gonnelli (*pro hac vice*)
16 **THE SULTZER LAW GROUP**
17 85 Civic Center Plaza, Suite 104
18 Poughkeepsie, NY 12601
19 Telephone: (845) 483-7100
20 Facsimile: (888) 749-7747
21 gonnellia@thesultzerlawgroup.com

22 Bonner Walsh (*pro hac vice*)
23 **WALSH PLLC**
24 1561 Long Haul Road
25 Grangeville, ID 83530
26 Telephone: (541) 359-2827
27 Facsimile: (866) 503-8206
28 bonner@walshpllc.com

Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO
LLP
1301 Second Avenue, Suite 2000
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com

ECF ATTESTATION

I, Shon Morgan, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the e-filing of the foregoing document in compliance with Local Rule 5-4.3.4(a)(2).

By /s/ Shon Morgan

Shon Morgan